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January 3, 2006

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ENTERED
Office of Proceedings

JAN 03 2006

Part of
Public Record

Richard Streeter, Esq.
Barnes & Thornburg
750 17th Street, N.W., Ste. 900
Washington, DC 20006

Re: STB Docket No. AB-556 (Sub No. 2X) – Railroad Ventures, Inc. – Abandonment Exemption Between Youngstown, Ohio and Darlington, PA in Mahoning and Columbiana Counties, Ohio and Beaver County, PA

Dear Gentlemen:

We are in receipt of Messrs. O'Brien and Streeter's letter of December 23, 2005 asserting that the Board's failure to reopen the above captioned proceeding provides a basis for refusing to respond to RVI's discovery requests. This assertion is without merit, and is inconsistent with the Board's Rules and Practice. While the Board did not reopen this proceeding with respect to the prior expenses submitted by CCPA for reimbursement from the escrow account, it did extend this proceeding with respect to the additional \$149,872 in repair expenses not originally submitted by CCPA/CCPR for consideration by the Board as part of CCPA/CCPR's Joint Motion for Final Closure of Escrow Account.

Since CCPA/CCPR are the only parties in possession of documentation responsive to RVI's discovery requests, and since the \$149,872 in repair expenses have not heretofore been previously subject to review and evaluation by RVI, failure on the part of CCPA/CCPR to respond to RVI's discovery requests would deny RVI due process of law.

RVI has accorded CCPA/CCPR a fair opportunity to produce any documents in their possession requested by RVI in its December 21, 2005 discovery request. RVI's discovery request is timely, limited and pertains to issues directly related to the Board's December 15, 2005 decision. In

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view of the extension granted by the Board, RVI expects that CCPA/CCPR will respond to RVI's discovery requests not later than January 10, 2005.

Very truly yours,

RICHARD R. WILSON, P.C.

A handwritten signature in dark ink, appearing to read "Richard R. Wilson", followed by a long horizontal flourish.

Richard R. Wilson, Esq.

RRW/bab

xc: All Parties of Record
Surface Transportation Board – Office of Proceedings